

United States District Court

JUL 31 2019

SOUTHERN

DISTRICT OF

TEXAS

McALLEN DIVISION

David J. Bradley, Clerk

UNITED STATES OF AMERICA

V.

CRIMINAL COMPLAINT

Alma Soto Barrera

PRINCIPAL

Case Number:

YOB: 1960

M-19-1786-M

United States

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about July 29, 2019 in Starr County, in the Southern District of Texas defendants(s) did,
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Franklin David Rodriguez-Ventura, a citizen and national of Honduras, along with one (1) other undocumented alien, for a total of two (2), who had entered the United States in violation of law, did knowingly transport, or move or attempted to transport said aliens in furtherance of such violation of law within the United States, that is, from a location near Roma, Texas to the point of arrest near Escobares, Texas, by means of a motor vehicle

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) FELONY

I further state that I am a(n) U.S. Border Patrol Agent and that this complaint is based on the following facts:

On July 29, 2019, the Roma, Texas Police Department (PD) contacted the Rio Grande City, Texas Border Patrol Station requesting assistance at a traffic stop. The traffic stop was conducted in Escobares, Texas which is the neighboring city to Roma. Agents responded to the request for assistance and arrived at the location of the traffic stop. Roma PD Officers informed Agents they received a call from an unknown concerned citizen indicating a black Chevrolet Malibu had picked up suspected undocumented aliens near a restaurant. Shortly after the information was given, Officers observed a vehicle matching the description near the area. Officers followed the vehicle for a short distance and conducted a traffic stop for travelling above the posted speed limit. The Chevrolet Malibu pulled over without incident.

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

approved by AUSA Frances E. Bluba
on 7/31/2019.

Signature of Complainant

Ernie E. Bergollo Border Patrol Agent

Printed Name of Complainant

Sworn to before me and subscribed in my presence,

July 31, 2019

Date

84/ am

at McAllen, Texas

City and State

Peter E. Ormsby, U. S. Magistrate Judge

Name and Title of Judicial Officer

Signature of Judicial Officer

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-19- 1786 -M

RE: Alma Soto Barrera

CONTINUATION:

The Officer approached the vehicle and observed a female driver and two male passengers seated in the rear seats. The Officer proceeded to ask for identification to which the rear passengers failed to provide. The rear passengers further stated they were citizens of Honduras and did not have any forms of identification. Based on the circumstance, Officers contacted Border Patrol to assist in the interviews. Agents arrived at the location and interviewed all of the subjects inside the vehicle. The driver, identified as Alma Soto Barrera, stated she was a United States Citizen. The two rear passengers freely admitted to being illegally present in the U.S. Alma Soto-Barrera was read her Miranda Rights and transported by Border Patrol for processing.

Principal Statement:

Alma Soto Barrera was read her Miranda Rights and stated she understood her rights and was willing to provide a statement without the presence of an attorney.

Soto Barrera provided the following information in her statement. She stated an unknown subject contacted her and asked her to pick up two undocumented aliens. Soto Barrera admitted she was aware the subjects were illegally present in the U.S. Soto Barrera further stated she agreed to be paid \$100 for each subject transported to their drop off location. Soto Barrera admitted to being successful one previous time smuggling undocumented aliens in the same area.

Material Witness Statement:

Franklin David Rodriguez-Ventura was read his Miranda Rights and stated he understood his rights and was willing to provide a statement without the presence of an attorney.

Rodriguez-Ventura provided the following information in his statement. Rodriguez-Ventura freely admitted to being a citizen of Honduras and illegally present in the U.S. He paid an unknown smuggler \$5,000 to be smuggled into the U.S. with the intent of reaching his ultimate destination point. Rodriguez-Ventura illegally crossed the Rio Grande River and was guided by an unknown subject. The foot guide gave him and the other subject instructions to wait for a black four door car which would be driven by a female. He stated they waited for a short time and the black four door vehicle arrived to pick them up. The female driver gave them a signal to get in the vehicle and told them to duck down below the windows. After driving for approximately four minutes, they were pulled over by police officers. During the stop, Rodriguez-Ventura stated the driver made a comment in the Spanish language which translated to "they got me." Rodriguez-Ventura described the female driver as being between the age of forty to fifty years of age with black and grey hair. Rodriguez-Ventura identified Alma Soto Barrera as the driver of the vehicle.